

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:20-CV-29-BO

AMOS N. JONES,

Plaintiff,

v.

CAMPBELL UNIVERSITY, *et al.*,
Defendants.

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ORDER

This cause comes before the Court on plaintiff's emergency motion to extend the stay entered in this case. [DE 145]. This Court imposed a stay on plaintiff's motion by order entered December 3, 2020. The stay was imposed for 120 days from the date of entry of the Court's order. Plaintiff now requests that the stay be extended until June 1, 2021, in order to accommodate plaintiff's health conditions.¹

The Court has considered the positions of the parties and in the exercise of its discretion denies the request to extend the stay. *See Rhines v. Weber*, 544 U.S. 269, 276 (2005). Plaintiff contends that he requires an additional surgery for nasal polyps and suffers from piriformis syndrome. However, there are currently four attorneys who are listed on the docket as representing plaintiff in this action. Moreover, plaintiff has recently filed an action in the United States District

¹ In his motion, plaintiff contends that the stay would expire on March 1, 2021. Pursuant to the Court's order, however, the stay would expire on April 2, 2021. Plaintiff's motion additionally states that his motion to dismiss the case [DE 118], which would have mooted the need for rulings on most pending matters before the Court, is still pending. Plaintiff is incorrect. Plaintiff moved in [DE 140] to convert his motion to dismiss at [DE 118] to a motion to stay. That motion was granted, the motion to dismiss was converted to a motion to stay, and a stay was entered. There is no motion to dismiss by plaintiff that is pending before this Court.

Court for the District of Columbia. Certainly, if he is able to prosecute that action through his able counsel, there is no impediment to plaintiff and his counsel continuing in this case.


Defendants' motion to seal the declaration submitted in support of their response to the motion to extend the stay [DE 151] is GRANTED as it details information regarding plaintiff's confidential medical records and plaintiff agrees that the declaration should be sealed.

The Court further REFERS all remaining pending motions in this matter to United States Magistrate Judge Robert B. Jones, Jr. for ruling or entry of a memorandum and recommendation as appropriate. *See* 28 U.S.C. § 636(b).

CONCLUSION

Accordingly, plaintiff's emergency motion to extend the stay [DE 145] is DENIED. The stay in this matter is LIFTED. Defendants' motion to seal [DE 151] is GRANTED. All remaining pending motions are REFERRED to United States Magistrate Judge Robert B. Jones Jr. for ruling or entry of a memorandum and recommendation as appropriate.

SO ORDERED, this 13 day of April, 2021.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE